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**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**

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**DATED: 12-09-2005**

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**WRIT PETITION No.19213 OF 2005**

Between:

V.Krishnamacharyulu and others . . .Petitioners

And

The Commissioner, Endowments Department, Hyderabad

And another . . .Respondents

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**WRIT PETITION No.19213 OF 2005**

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**O R D E R:**

The petitioners are purohits engaged by Sri Lakshmi Narasimha Swamy Devasthanam, Yadagirigutta. Their services are being utilized only for performing poojas to vehicles. They are being paid some remuneration almost at a piece rate i.e. on the number of vehicles, for which, they performed the poojas. The petitioners made several representations to the authorities of the temple as well as to the Commissioner of Endowments, the first respondent, stating that there is a practice of paying remuneration in terms of percentage on the income derived from vahana poojas in various temples and that the same facility, be extended to them. The second respondent is stated to have recommended their cases for extension of such benefit. Ultimately, the first respondent accorded permission through his proceedings, dated 01-02-2005, to pay remuneration to the petitioners at 30% on the net income derived from vahana pooja tickets, after excluding expenditure. The grievance of the petitioners is that so far, no action has been taken by the second respondent,

though several months have elapsed.

Sri Gangaiah Naidu, the learned senior counsel appearing on behalf of the petitioners contends that the first respondent, being the competent authority in the matter, had accorded permission for extending the benefit of payment of remuneration in terms of percentage of income and there was no justification on the part of the second respondent in not taking further steps. He further contends that permission was accorded on the recommendations of the second respondent and that he cannot sit over the matter.

Sri Kondaveeti Ravi, the learned Standing Counsel appearing for the second respondent, on the other hand, submits that the orders passed by the then Commissioner, be it in the context of according permission for appointments, upgradations, altering the terms of appointment or promotions, have been taken note of, by the Government and that such orders were reversed or kept in abeyance, en masse. He contends that the proceedings dated 01-02-2005, stand on the same footing and at any rate, it is for the second respondent to take a final decision on the basis of such recommendations.

It is true that the first respondent accorded permission on
01-02-2005 to the second respondent to pay remuneration to the petitioners at 30% on the net income derived from vahana pooja tickets after excluding expenditure. However, it is for the second respondent to take a final decision in the matter. The proceedings dated 01-02-2005 issued by the first respondent have not been kept in abeyance by the Government as yet. Even assuming that the proceedings are operative on as today, the petitioners cannot derive any right from that. It is for the second respondent to take a final decision and pass appropriate orders in this regard. At the same time, the matter cannot be kept pending indefinitely.

For the foregoing reasons, the writ petition is disposed of directing the second respondent to pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, as regards the method of payment of remuneration to the petitioners, duly taking into account the relevant provisions applicable in the matter as well as the proceedings dated 01-02-2005 if they still hold good.

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(L.NARASIMHA REDDY, J)

12th SEPTEMBER, 2005.

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